

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No.: 23-61961-CIV-DIMITROULEAS/AUGUSTIN-BIRCH

ANDREW BAKER and MATTHEW
BERMAN, individually and on behalf of all
others similarly situated,

Plaintiff,

v.

FUBOTV, INC.,

Defendant.

**JOINT STIPULATION AND MOTION REQUESTING 60-DAY STAY
OF ALL PENDING CASE DEADLINES**

Plaintiffs Andrew Baker and Matthew Berman (“Plaintiffs”) and Defendant fuboTV, Inc. (“Fubo” and with Plaintiffs, the “Parties”) hereby respectfully submit to the Court this joint stipulation and motion to stay further proceedings in this action for sixty (60) days. In support of this joint stipulation and motion, the Parties state as follows:

1. On March 4, 2024, Plaintiffs filed a First Amended Class Action Complaint in this action. *See* Dkt. No. 16.
2. On April 17, 2024, Fubo filed its Answer and Affirmative Defenses in response to the First Amended Complaint. *See* Dkt. No. 19.
3. On May 23, 2024, the Court entered an Order Setting Trial Date and Discovery Deadlines. *See* Dkt. 23. Among other things, the Order set a discovery cutoff of May 16, 2025, and a trial start date of November 3, 2025. *Id.* at 1-2.
4. The Parties have reached an agreement in principle to resolve this matter and other pending cases arising under the Video Privacy Protection Act, 18 U.S.C. § 2710 *et seq.*, on behalf of a proposed class of persons. The Parties are currently negotiating and preparing the class action

settlement agreement and other settlement-related documents and expect to be able to finalize those documents within approximately 60 days. Upon execution of the settlement agreement, Plaintiffs expect to voluntarily dismiss this action, and the Parties expect to submit the proposed settlement, which is intended to resolve the claims in this and the other pending matters, for preliminary approval before another.

5. The Parties believe that judicial economy and the interests of the Parties would be served by a 60-day stay of the action while the Parties finalize the settlement agreement, after which time the Parties propose they will jointly file a status report regarding the Parties' progress if the action has not been voluntarily dismissed.

WHEREFORE, the Parties respectfully request that the Court grant this joint motion for a 60-day stay of all pending case deadlines to allow the Parties to finalize the settlement agreement.

Respectfully submitted this 20th day of February, 2025.

Respectfully submitted this 20th day of February, 2025.

/s/ Manuel Hiraldo (with consent)

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was filed with the CM/ECF system on February 20, 2025, which will automatically send electronic copies to:

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